

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

STATE OF OHIO, *ex rel.*
DAVID P. JOYCE,
PROSECUTING ATTORNEY OF GEAUGA
COUNTY,

Plaintiff,

vs.

MERSCORP, INC. *et al.*,

Defendants.

CASE NO. 1:11-CV-02474-JG

JUDGE GWIN

MAGISTRATE JUDGE WHITE

**ANSWER AND DEFENSES OF THE
HUNTINGTON NATIONAL BANK
TO PLAINTIFF'S AMENDED
COMPLAINT**

**(JURY DEMAND ENDORSED
HEREON)**

Defendant The Huntington National Bank (“Huntington”)¹ answers Geauga County’s (“County” or “Plaintiff”) Amended Class Action Complaint as follows:

NATURE OF THE ACTION

1. The allegations contained in Paragraph 1 are descriptions of Plaintiff’s Amended Complaint, as to which no response is required. To the extent a response is required, the allegations of Paragraph 1 refer to the knowledge, conduct, or actions of persons or entities other

¹ The Plaintiff’s Amended Complaint incorrectly named Huntington National Bank, N.A.

than Huntington, thus Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. Huntington denies the remaining allegations of Paragraph 1.

2. The allegations contained in Paragraph 2 state legal conclusions, as to which no response is required. To the extent that a response is required, Huntington denies the allegations of Paragraph 2.

3. Huntington denies the allegations of Paragraph 3.

4. Huntington denies the allegations of Paragraph 4.

5. To the extent the allegations of Paragraph 5 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 5 purport to apply to Huntington, Huntington denies them for lack of knowledge.

6. The allegations contained in Paragraph 6 state legal conclusions, as to which no response is required. To the extent that a response is required, Huntington denies the allegations of Paragraph 6.

JURISDICTION

7. The allegations contained in Paragraph 7 are descriptions of Plaintiff's Amended Complaint, as to which no response is required. To the extent a response is required, the allegations of Paragraph 7 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same.

8. The allegations contained in Paragraph 8 state legal conclusions, as to which no response is required. To the extent a response is required, Huntington admits that Plaintiff contends that jurisdiction is lacking. Huntington further answers that the issue will be decided by the court after legal briefing.

9. The allegations contained in Paragraph 9 state legal conclusions, as to which no response is required. To the extent a response is required, Huntington admits that personal jurisdiction over it with respect to the matters alleged is proper.

PARTIES

10. The allegations contained in Paragraph 10 state legal conclusions, as to which no response is required. To the extent a response is required, Huntington denies the allegations contained in Paragraph 10.

11. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 11 and therefore denies them.

12. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 12 and therefore denies them.

13. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 13 and therefore denies them.

14. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 14 and therefore denies them.

15. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 15 and therefore denies them.

16. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 16 and therefore denies them.

17. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 17 and therefore denies them.

18. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 18 and therefore denies them.

19. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 19 and therefore denies them.

20. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 20 and therefore denies them.

21. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 21 and therefore denies them.

22. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 22 and therefore denies them.

23. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 23 and therefore denies them.

24. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 24 and therefore denies them.

25. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 25 and therefore denies them.

26. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 26 and therefore denies them.

27. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 27 and therefore denies them.

28. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 28 and therefore denies them.

29. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 29 and therefore denies them.

30. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 30 and therefore denies them.

31. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 31 and therefore denies them.

32. The Huntington National Bank admits that it is a national banking association with its principal place of business in Columbus, Ohio. Huntington denies the remaining allegations contained in Paragraph 32.

33. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 33 and therefore denies them.

34. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 34 and therefore denies them.

35. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 35 and therefore denies them.

36. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 36 and therefore denies them.

37. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 37 and therefore denies them.

38. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 38 and therefore denies them.

39. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 39 and therefore denies them.

40. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 40 and therefore denies them.

41. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 41 and therefore denies them.

FACTUAL STATEMENT

42. To the extent that the allegations of Paragraph 42 purport to describe the conduct of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 42 and therefore denies them. To the extent the allegations of Paragraph 42 purport to apply to Huntington, Huntington denies them.

43. The allegations contained in Paragraph 43 state legal conclusions, as to which no response is required. To the extent that a response is required, Huntington denies the allegations of Paragraph 43.

44. The allegations contained in Paragraph 44 state legal conclusions, as to which no response is required. To the extent that a response is required, Huntington denies the allegations of Paragraph 44.

45. To the extent the allegations of Paragraph 45 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same.

46. To the extent the allegations of Paragraph 46 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information

sufficient to form a belief as to the truth of those allegations and denies the same. Huntington further answers that Ohio statutes speak for themselves.

47. To the extent the allegations of Paragraph 47 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. Huntington further answers that Ohio statutes speak for themselves.

48. To the extent the allegations of Paragraph 48 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 48 purport to apply to Huntington, Huntington denies them.

49. To the extent the allegations of Paragraph 49 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 49 purport to apply to Huntington, Huntington denies them.

50. To the extent the allegations of Paragraph 50 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 50 purport to apply to Huntington, Huntington denies them.

51. To the extent the allegations of Paragraph 51 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 51 purport to apply to Huntington, Huntington denies them.

52. To the extent the allegations of Paragraph 52 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 52 purport to apply to Huntington, Huntington denies them.

53. Huntington denies the allegations contained in Paragraph 53.

54. To the extent the allegations of Paragraph 54 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 54 purport to apply to Huntington, Huntington denies them.

55. To the extent the allegations of Paragraph 55 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same.

56. To the extent the allegations of Paragraph 56 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 56 purport to apply to Huntington, Huntington denies them.

57. To the extent the allegations of Paragraph 57 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 57 purport to apply to Huntington, Huntington denies them.

58. To the extent the allegations of Paragraph 58 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information

sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 58 purport to apply to Huntington, Huntington denies them.

59. To the extent the allegations of Paragraph 59 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 59 purport to apply to Huntington, Huntington denies them.

60. To the extent the allegations of Paragraph 60 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 60 purport to apply to Huntington, Huntington denies them.

61. To the extent the allegations of Paragraph 61 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 61 purport to apply to Huntington, Huntington denies them.

62. To the extent the allegations of Paragraph 62 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 62 purport to apply to Huntington, Huntington denies them.

63. To the extent the allegations of Paragraph 63 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same.

64. To the extent the allegations of Paragraph 64 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information

sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 64 purport to apply to Huntington, Huntington denies them.

65. To the extent the allegations of Paragraph 65 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 65 purport to apply to Huntington, Huntington denies them.

66. To the extent the allegations of Paragraph 66 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 66 purport to apply to Huntington, Huntington denies them.

67. To the extent the allegations of Paragraph 67 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 67 purport to apply to Huntington, Huntington denies them.

68. Huntington denies the allegations contained in Paragraph 68.

69. To the extent the allegations of Paragraph 69 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 69 purport to apply to Huntington, Huntington denies them.

70. Huntington denies the allegations contained in Paragraph 70.

71. Huntington denies the allegations contained in Paragraph 71.

72. Huntington denies the allegations contained in Paragraph 72.

73. Huntington denies the allegations contained in Paragraph 73.

74. Huntington denies the allegations contained in Paragraph 74.

75. Huntington denies the allegations contained in Paragraph 75.

76. To the extent the allegations of Paragraph 76 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. To the extent the allegations of Paragraph 76 purport to apply to Huntington, Huntington denies them.

77. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 77 and therefore denies them.

78. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 78 and therefore denies them.

79. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 79 and therefore denies them.

80. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 80 and therefore denies them.

81. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 81 and therefore denies them.

82. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 82 and therefore denies them.

83. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 83 and therefore denies them.

84. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 84 and therefore denies them.

85. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 85 and therefore denies them.

86. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 86 and therefore denies them.

87. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 87 and therefore denies them.

88. Huntington admits the allegations contained in Paragraph 88.

89. To the extent the allegations of Paragraph 89 refer to the knowledge, conduct, or actions of persons or entities other than Huntington, Huntington lacks knowledge or information sufficient to form a belief as to the truth of those allegations and denies the same. Huntington denies the remaining allegations in Paragraph 89.

90. Huntington denies the allegations contained in Paragraph 90.

91. Huntington denies the allegations contained in Paragraph 91.

92. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 92 and therefore denies them.

93. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 93 and therefore denies them.

94. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 94 and therefore denies them.

95. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 95 and therefore denies them.

1. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 1 and therefore denies them.

2. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 2 and therefore denies them.

3. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 3 and therefore denies them.

4. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 4 and therefore denies them.

5. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 5 and therefore denies them.

6. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 6 and therefore denies them.

7. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 7 and therefore denies them.

8. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 8 and therefore denies them.

9. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 9 and therefore denies them.

10. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 10 and therefore denies them.

11. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 11 and therefore denies them.

12. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 12 and therefore denies them.

13. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 13 and therefore denies them.

14. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 14 and therefore denies them.

15. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 15 and therefore denies them.

16. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 16 and therefore denies them.

17. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 17 and therefore denies them.

18. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 18 and therefore denies them.

19. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 19 and therefore denies them.

20. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 20 and therefore denies them.

21. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 21 and therefore denies them.

22. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 22 and therefore denies them.

23. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 23 and therefore denies them.

24. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 24 and therefore denies them.

25. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 25 and therefore denies them.

26. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 26 and therefore denies them.

27. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 27 and therefore denies them.

28. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 28 and therefore denies them.

29. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 29 and therefore denies them.

30. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 30 and therefore denies them.

31. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 31 and therefore denies them.

32. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 32 and therefore denies them.

33. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 33 and therefore denies them.

34. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 34 and therefore denies them.

35. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 35 and therefore denies them.

36. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 36 and therefore denies them.

37. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 37 and therefore denies them.

38. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 38 and therefore denies them.

39. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 39 and therefore denies them.

40. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 40 and therefore denies them.

41. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 41 and therefore denies them.

42. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 42 and therefore denies them.

43. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 43 and therefore denies them.

44. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 44 and therefore denies them.

45. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 45 and therefore denies them.

46. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 46 and therefore denies them.

47. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 47 and therefore denies them.

48. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 48 and therefore denies them.

49. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 49 and therefore denies them.

50. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 50 and therefore denies them.

51. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 51 and therefore denies them.

52. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 52 and therefore denies them.

53. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 53 and therefore denies them.

54. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 54 and therefore denies them.

55. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 55 and therefore denies them.

56. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 56 and therefore denies them.

57. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 57 and therefore denies them.

58. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 58 and therefore denies them.

59. Huntington lacks knowledge or information sufficient to admit or deny the truth of the allegations contained in Paragraph 59 and therefore denies them.

CLASS ALLEGATIONS

60. Huntington denies the allegations contained in Paragraph 60. Huntington further denies that the lawsuit meets the requirements for certification under Ohio Civ. R. 23 or Fed. R. Civ. P. 23, and denies that any class should be certified.

61. Huntington denies the allegations contained in Paragraph 61. Huntington further denies that the lawsuit meets the requirements for certification under Ohio Civ. R. 23 or Fed. R. Civ. P. 23, and denies that any class should be certified.

62. Huntington denies the allegations contained in Paragraph 62. Huntington further denies that the lawsuit meets the requirements for certification under Ohio Civ. R. 23 or Fed. R. Civ. P. 23, and denies that any class should be certified.

63. Huntington denies the allegations contained in Paragraph 63. Huntington further denies that the lawsuit meets the requirements for certification under Ohio Civ. R. 23 or Fed. R. Civ. P. 23, and denies that any class should be certified.

64. Huntington denies the allegations contained in Paragraph 64. Huntington further denies that the lawsuit meets the requirements for certification under Ohio Civ. R. 23 or Fed. R. Civ. P. 23, and denies that any class should be certified.

65. Huntington denies the allegations contained in Paragraph 65. Huntington further denies that the lawsuit meets the requirements for certification under Ohio Civ. R. 23 or Fed. R. Civ. P. 23, and denies that any class should be certified.

66. Huntington denies the allegations contained in Paragraph 66. Huntington further denies that the lawsuit meets the requirements for certification under Ohio Civ. R. 23 or Fed. R. Civ. P. 23, and denies that any class should be certified.

67. Huntington denies the allegations contained in Paragraph 67. Huntington further denies that the lawsuit meets the requirements for certification under Ohio Civ. R. 23 or Fed. R. Civ. P. 23, and denies that any class should be certified.

CLAIMS FOR RELIEF

FIRST CAUSE OF ACTION

68. Huntington incorporates, as if fully rewritten, all of its previous answers to each and every allegation contained in the preceding paragraphs, and denies the remaining allegations of Paragraph 68.

69. Huntington denies the allegations contained in Paragraph 69.

70. Huntington denies the allegations contained in Paragraph 70.

SECOND CAUSE OF ACTION

71. Huntington incorporates, as if fully rewritten, all of its previous answers to each and every allegation contained in the preceding paragraphs, and denies the remaining allegations of Paragraph 71.

72. Huntington denies the allegations contained in Paragraph 72.

73. Huntington denies the allegations contained in Paragraph 73.

THIRD CAUSE OF ACTION

74. Huntington incorporates, as if fully rewritten, all of its previous answers to each and every allegation contained in the preceding paragraphs; admits that Huntington is a member of MERS; and denies the remaining allegations of Paragraph 74.

75. Huntington denies the allegations contained in Paragraph 75.

76. Huntington denies the allegations contained in Paragraph 76.

77. Huntington denies the allegations contained in Paragraph 77.

PRAYER FOR RELIEF

78. Huntington denies Plaintiff is entitled to any of the relief sought in the Amended Complaint, and further denies each and every allegation of the Amended Complaint not expressly admitted herein.

ADDITIONAL DEFENSES

FIRST DEFENSE

79. Plaintiff's Amended Complaint fails to state a claim upon which relief may be granted.

SECOND DEFENSE

80. Plaintiff lacks standing to bring the claim or claims asserted.

THIRD DEFENSE

81. Geauga County Prosecutor is exceeding the scope of his statutory powers.

FORTH DEFENSE

82. Plaintiff's claims are barred because it is not the real party in interest.

FIFTH DEFENSE

83. Some or all of the claims asserted are barred by the applicable statute of limitations, and/or by doctrines of waiver, laches, and estoppel.

SIXTH DEFENSE

84. Plaintiff's claims are not ripe.

SEVENTH DEFENSE

85. Plaintiff's claims do not present the Court with an actual case or controversy requiring declaratory relief.

EIGHTH DEFENSE

86. Plaintiff's claims are barred by the terms of agreements between Huntington and its customers.

NINTH DEFENSE

87. Plaintiff cannot recover damages on its claims, because if damages were suffered, it was due to a failure to mitigate damages.

TENTH DEFENSE

88. Plaintiff's claims are barred because Plaintiff is not entitled to recover money damages for services which it never rendered.

ELEVENTH DEFENSE

89. Plaintiff's claims are barred or limited, in whole or in part, because neither Plaintiff nor any member of the putative class has suffered any harm, damages, or prejudice as a result of the actions described in the Amended Complaint.

TWELFTH DEFENSE

90. Plaintiff's claims are barred or limited, in whole or in part, because Plaintiff has ratified, approved, adopted, and consented to the actions described in the Amended Complaint.

THIRTEENTH DEFENSE

91. Plaintiff's claims for injunctive relief are barred because Plaintiff unduly delayed challenging the conduct described in the Amended Complaint.

FOURTEENTH DEFENSE

92. Plaintiff's claims for injunctive relief are barred because Plaintiff has an adequate remedy at law and will not face irreparable harm in the absence of an injunction.

FIFTEENTH DEFENSE

93. Plaintiff's claims are barred by the absence of an applicable legal duty.

SIXTEENTH DEFENSE

94. The criteria for class certification have not been met and/or maintenance of a class would be improper.

SEVENTEENTH DEFENSE

95. Huntington reserves the right to modify the foregoing affirmative defenses, and/or assert additional affirmative defense, as ongoing discovery and/or proceedings reveal to be appropriate.

WHEREFORE, having fully answered the Amended Complaint, defendant The Huntington National Bank respectfully requests that the same be dismissed with prejudice, and it recover its costs and fees, including but not limited to attorneys' fees, and that the Court award it such other and additional relief it may deem appropriate.

Dated: February 9, 2012

Respectfully submitted,

/s/ Brett A. Wall

Daniel R. Warren (0054595)

dwarren@bakerlaw.com

Brett A. Wall (0070277)

bwall@bakerlaw.com

Lisa M. Ghannoum (0080950)

lghannoum@Bbakerlaw.com

BAKER & HOSTETLER LLP

PNC Center

1900 East 9th Street, Suite 3200

Cleveland, Ohio 44114-3482

Telephone: 216.621.0200

Facsimile: 216.696.0740

JURY DEMAND

Defendant Huntington hereby demands a trial by jury as to all triable issues and questions, by the maximum number of jurors permitted by law.

/s/ Brett A. Wall

*Counsel for Defendant,
The Huntington National Bank*

CERTIFICATE OF SERVICE

I hereby certify that on February 9, 2012, the foregoing was filed electronically with the Court. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the court's ECF system.

/s/ Brett A. Wall

*Counsel for Defendant,
The Huntington National Bank*